

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ALCOHOLIC BEVERAGE CONTROL BOARD**

**NOTICE OF PUBLIC HEARINGS
CALENDAR**

**WEDNESDAY, MAY 23, 2012
2000 14TH STREET, N.W., SUITE 400S,
WASHINGTON, D.C. 20009**

**Ruthanne Miller, Chairperson
Members:**

**Nick Alberti, Donald Brooks, Herman Jones, Calvin Nophlin, Mike Silverstein
and Jeannette Mobley**

Show Cause Hearing (Status)

9:30 AM

Case # 12-AUD-00009

Jose A. and Maria R. Carcamo, t/a El Sauce Restaurant and Carry-Out
1227 11th Street NW
License #72654
Retailer DR
ANC 2F

Failed to File Quarterly Statements

**Disposition: The Board scheduled the Show Cause Hearing for July 18,
2012 at 11:00 am.**

Show Cause Hearing (Status)

9:30 AM

Case # 11-CMP-00485

Lemlee Corporation, t/a Dancing Crab
4615 41st Street NW
License #889
Retailer CR
ANC 3E

**Sale to Minor, Failed to Take Steps Necessary to Ascertain Legal Drinking
Age**

**Disposition: The Board scheduled the Show Cause Hearing for July 18,
2012 at 10:00 am.**

Board's Calendar

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Show Cause Hearing (Status)

9:30 AM

Case # 11-CMP-00489

Atomic Billiards Corporation, t/a Atomic Billiards

3427 Connecticut Ave NW

License #19007

Retailer CT

ANC 3C

Substantial Change (Operating after hours)

Disposition: The Board scheduled the Show Cause Hearing for July 11, 2012 at 4:30 pm.

Show Cause Hearing (Status)

9:30 AM

Case # 11-CMP-00356

Maggiano's Holding Corporation, t/a Maggiano's

5333 Wisconsin Ave NW

License #72256

Retailer CR

ANC 3E

No ABC Manager on Duty

Disposition: The Board accepted an Offer in Compromise: \$3,000 to be paid within 30 days, 6-1 (Jones).

Show Cause Hearing (Status)

9:30 AM

Case # 11-251-00240, # 11-251-00240(a), #11-251-00272, # 11-251-00272(a)

Guards Inc., t/a The Guards

2915 M Street NW

License #916

Retailer CR

ANC 2E

Failed to Comply with a Board Order, Failed to Follow Security Plan

Disposition: The Board REJECTED an Offer in Compromise: \$4,000 to be paid within 45 days, 7-0. The Board scheduled the Show Cause Hearing for July 11, 2012 at 2:30 pm.

Show Cause Hearing (Status)

9:30 AM

Case # 12-AUD-00005

M St. Enterprises, Inc., t/a Churreria Madrid Restaurant
2505 Champlain Street NW
License #60806
Retailer CR
ANC 1C

Failed to File Quarterly Statements

Disposition: The Board scheduled the Show Cause Hearing for July 11, 2012 at 1:30 pm.

Show Cause Hearing (Status)

9:30 AM

Case # 11-CMP-00512, # 11-251-00347, # 11-251-00257

Inner Circle 1420, LLC, t/a Lotus
1420 K Street NW
License #75162
Retailer CN
ANC 2F

Failed to Comply with a Board Order
(Continued to June 6, 2012 at 9:30 am)

Disposition: The Board rescheduled the Show Cause Status Hearing for June 6, 2012 at 9:30 am and the Show Cause Hearing for June 20, 2012 at 11:00 am.

Show Cause Hearing (Status)

9:30 AM

Case # 11-CC-00084

Restaurant Concepts, LLC, t/a Café Ole
4000 Wisconsin Ave NW
License #25526
Retailer CR
ANC 3C

Sale to Minor

Disposition: The Board accepted an Offer in Compromise: \$2,500 to be paid within 60 days; 5 days of suspension stayed for one year, 6-1 (Jones).

Show Cause Hearing

10:00 AM

Case # 12-251-00001, # 11-CMP-00470, # 11-CMP-00511

Mimi & D, LLC, t/a Mood

1318 9th Street NW

License #86037

Retailer CT

ANC 1B

Interfered with an ABRA Investigation, Failed to Comply With Security Plan, Allowed a Controlled Substance to be used in the Establishment, Violation of Voluntary Agreement
(Continued to June 13, 2012 at 1:30 pm)

Disposition: The Board granted the Licensee's Motion for Continuance. The Board continued the matter to June 13, 2012 at 1:30 pm.

BOARD RECESS AT 12:00 PM

**ADMINISTRATIVE AGENDA
1:00 PM**

Fact Finding Hearing

1:30 PM

Daniel Miller

WestMill Capital Partners

1300 H Street NE

ANC 6A

New Application

Disposition: Hearing Cancelled; Application Withdrawn.

Fact Finding Hearing

2:30 PM

Julianne Brienza
605-607 New York Ave NW
Class F
ANC 2C

Temporary License Application

Capital Fringe Festival

Date of Events: June 18, July 6, July 12-15, July 17-22, July 23-29, 2012

Disposition: The Board approved the Application, 7-0.

Fact Finding Hearing

3:00 PM

Pub Crawl
Date of Event: June 2, 2012

The names of the establishments participating in the Pub Crawl are available upon request.

**Disposition: An amended application will be submitted for consideration.
The event will take place on September 29, 2012.**

Fact Finding Hearing

1:30 PM

JJC Georgetown, Inc., t/a Mie N Yu
3123 M Street NW
License #60425
Retailer CR
ANC 2E

One Day Substantial Change Application

Taste of Georgetown

Date of Event: June 2, 2012

Disposition: The Board approved the Application, 7-0.

Fact Finding Hearing

1:30 PM

JJC Georgetown, Inc., t/a Mie N Yu
3125 M Street NW
License #60425
Retailer CR
ANC 2E

One Day Substantial Change Application

The Yards Park

Date of Event: June 16, 2012

Disposition: The Board approved the Application, 7-0.

Fact Finding Hearing

3:30 PM

Robert Pease
401 F Street NW
License #89417
Class F
ANC 6C

Temporary License Application

Brewers Association, Inc.

Date of Events: June 8, and June 9, 2012

Disposition: The Board approved the Application, 7-0.

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ALCOHOLIC BEVERAGE CONTROL BOARD**

**NOTICE OF MEETING
AGENDA**

**WEDNESDAY, MAY 23, 2012 AT 1:00 PM
2000 14TH STREET, N.W., SUITE 400S, WASHINGTON, D.C. 20009**

1. Review of Manager's Application for **Yamiley Romero**. **
Decision: Approved, 6-1 (Miller).
2. Review of Manager's Application for **John M. Scott**. **
Decision: Approved, 7-0.
3. Review of request from Michael Fonseca on behalf of Licensee to store alcoholic beverage inventory in a locked sea container in an adjacent parking lot next to the boats. No pending investigative matters. No outstanding citations/fines. No conflict with Amendment to Voluntary Agreement. ANC 6D. **Motor Yacht Celebrity**-Lic.#: 84410, **Motor Yacht Finished Business** -Lic.#: 084413, & **Virginia's Jewel**, Lic.#: 88738, 1300 Maine Avenue, SW, Retailer's Class "C" Multipurpose.
Decision: Postponed until June 6, 2012.
4. Review of Change of Hours Application to change the Hours of Operation and Hours of Alcoholic Beverage Sales. **Current Hours of Operation and Hours of Alcoholic Beverage Sales:** Monday through Saturday 9:30am-10pm. **Proposed Hours of Operation and Hours of Alcoholic Beverage Sales:** Monday through Saturday 9:30am-12am. No pending investigative matters. No outstanding citations/fines. ANC Resolution addresses conflict with Voluntary Agreement. ANC 2F. **Sav-on Liquors Inc**, 1414 14th street NW Retailer A, Lic.#: 178.
Decision: Approved, 7-0.
5. Review of request from EC Restaurants Corp. for approval of involuntary transfer pursuant to an order from the United States Bankruptcy Court District of Massachusetts approving the asset purchase agreement of 14 legal entities, two of which are holders of Class "C" Restaurant licenses. No pending investigative matters. No outstanding citations/fines. No voluntary agreements. ANC 2F. **Elephant & Castle Pub Restaurant**, 1201 Pennsylvania Avenue NW Retailer CR, Lic.#: 70714.*
Decision: Approved pending further review by Legal regarding the nature of the transfer, 7-0.

6. Review of Change of Hours Application to change the Hours of Operation and Hours of Alcoholic Beverage Sales. **Current Hours of Operation and Hours of Alcoholic Beverage Sales:** Monday through Saturday 9am-10pm. **Proposed Hours of Operation and Hours of Alcoholic Beverage Sales:** Monday through Saturday 9am-12am. No pending investigative matters. No outstanding citations/fines. No voluntary agreement. ANC 1A. **Lion's Fine Wine & Spirits**, 3614 Georgia Avenue NW Retailer A, Lic.#: 88221.
Decision: Approved, 7-0.
7. Review of Amended Entertainment Endorsement Application to add cover charge. **Current Hours of Operation and Hours of Alcoholic Beverage Sales/Consumption:** Sunday 11am-9pm, Monday 4pm-11pm, Tuesday through Thursday 11am-11pm, Friday 11am-2am, Saturday 4am-2am. **Current Hours of Entertainment:** Sunday 6pm-9pm, Monday through Thursday 6pm-11pm, Friday and Saturday 6pm-2am. Pending investigative matter. No outstanding citations/fines. No conflict with Voluntary Agreement. ANC 8A. **Uniontown Bar and Grill**, 2200 Martin Luther King Jr Avenue SE Retailer CR, Lic.#: 84348.
Decision: Approved, 5-1 (Miller). Abstention by Nophlin.
8. Review of Entertainment Endorsement Application to include entertainment in the form of a DJ. **Current Hours of Operation:** Sunday through Thursday 9am-2am, Friday and Saturday 9am-3am. **Current Hours of Alcoholic Beverage Sales/Consumption:** Sunday 10am-2am, Monday through Thursday 9am-2am, Friday and Saturday 9am-3am. **Proposed Hours of Entertainment:** Sunday 9pm-1:30am, Thursday 9pm-1:30am, Friday and Saturday 10pm-2:30am. Pending investigative matters. No outstanding citations/fines. No voluntary agreement. ANC 8A. **El Sauce Restaurant and Carry Out**, 1227 11th Street NW Retailer DR, Lic.#: 72654. *
Decision: Placard, 6-1 (Alberti).
9. Review of request form Licensee to expand operations to 2nd floor to accommodate and additional 70 patrons for a total occupancy load of 173. No pending investigative matters. No outstanding citations/fines. No conflict with existing Voluntary Agreement. ANC 1B. **Bistro La Bonne**, 1340 U Street NW Retailer CR, Lic.#: 75284.
Decision: Approved, 6-0. Abstention by Alberti.
10. Review of letter, dated May 9, 2012, from Louis Courembis, on behalf of the landlord, requesting an involuntary transfer of the license held by Bouzid, Inc., pursuant to Section 10 of the Lease Agreement. **Marrakesh Palace Pasha Lounge**, 2147 P Street NW Retailer CT, Lic.#: 60695.*
Decision: Denied, 7-0.
11. Review of email, dated May 9, 2012, from Susie Taylor, expressing her concerns about McFadden's Restaurant moving into space currently occupied by Ireland's Four Fields. **McFadden's**, 2401 Pennsylvania Avenue NW Retailer CR, Lic.#: 60591.
Decision: FYI.

12. Review of request for a single sales moratorium exception for Good Libations, dated May 1, 2012. ANC 2C supports the request. **Good Libations**, 1201 5th Street NW Retailer A, Lic.#: 73063.

Decision: Postponed until June 6, 2012.

13. Review of letter, dated May 8, 2012, from Ari Gejdenson requesting permission to store invoices off site at another location in the District. **Mindful Catering**, 212 7th Street SE Caterer, Lic.#: 89441.

Decision: Approved, 7-0.

14. Review of letter, dated May 8, 2012, from Ari Gejdenson requesting permission to store invoices off site at another location in the District. **Acqua al 2**, 212 7th Street SE Retailer CR, Lic.#: 80056.

Decision: Approved, 7-0.

15. Review of Voluntary Agreement, dated March 7, 2012, between Good Libations and ANC 2C. **Good Libations**, 1201 5th Street NW Retailer A, Lic.#: 73063.*

Decision: Postponed until June 6, 2012.

16. Review of Voluntary Agreement, dated March 8, 2012, between Hayden's, Inc., and ANC 6B. **Hayden's Inc.**, 700 North Carolina Avenue SE Retailer A, Lic.#: 437.*

Decision: Postponed until June 6, 2012.

17. Review of Voluntary Agreement, dated March 8, 2012, between Safeway, Inc., and ANC 6B. **Safeway, Inc.**, 415 14th Street SE Retailer A, Lic.#: 2195.*

Decision: Postponed until June 6, 2012.

18. Review of Voluntary Agreement, dated March 12, 2012, between Willie's Sports Brew & Que and ANC 6D. **Willie's Sports Brew & Que**, 300 Tingey Street SE Retailer CT, Lic.#: 89141.*

Decision: Approved with modifications to 3rd whereas clause (last sentence), 4th whereas clause (last sentence), and Section 8 (first sentence), 7-0.

19. Review of Amended Voluntary Agreement, dated May 14, 2012, between BreadSoda and ANC 3B. **BreadSoda**, 2233 Wisconsin Ave NW, Retailer CR, Lic.#: 78085.*

Decision: Approved with modifications to Section 7 (last sentence), Section 9 (second sentence), 7-0.

* In accordance with Section 405(b) of the Open Meetings Amendment Act of 2010, this portion of the meeting will be closed for deliberation and to consult with an attorney to obtain legal advice. The Board's vote will be held in an open session, and the public is permitted to attend.

** In accordance with Section 405(b) of the Open Meetings Amendment Act of 2010, this portion of the meeting will be closed to plan, discuss, or hear reports concerning ongoing or planned investigations of alleged criminal or civil misconduct or violations of law or regulations. The Board's vote will be held in an open session, and the public is permitted to attend.

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ALCOHOLIC BEVERAGE CONTROL BOARD**

**NOTICE OF MEETING
SUPPLEMENTAL AGENDA**

**WEDNESDAY, MAY 23, 2012 AT 1:00 PM
2000 14TH STREET, N.W., SUITE 400S, WASHINGTON, D.C. 20009**

1. Review of request for a single sales moratorium exception for Virginia Market, dated April 5, 2012. ANC 2B supports the request. *Virginia Market*, 1776 U Street NW Retailer B, Lic.#: 60081.
Decision: Approved, 7-0.
2. Review of Stipulated License request and ANC 2C Resolution of Approval. *New York Avenue Beach Bar*, 645 New York Avenue NW Retailer CT, Lic.#: 89365.*
Decision: Approved, 7-0.
3. Review of Stipulated License request for Change of Hours and ANC 2B Resolution of Approval. No conflict with Voluntary Agreement. *Phase I of Dupont*, 1415 22nd Street NW Retailer CT, Lic.#: 87629.*
Decision: Approved, 7-0.

*** In accordance with Section 405(b) of the Open Meetings Amendment Act of 2010, this portion of the meeting will be closed for deliberation and to consult with an attorney to obtain legal advice. The Board's vote will be held in an open session, and the public is permitted to attend.**

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ALCOHOLIC BEVERAGE CONTROL BOARD**

**NOTICE OF MEETING
LICENSE CANCELLATION**

**WEDNESDAY, MAY 23, 2012
2000 14TH STREET, N.W., SUITE 400S, WASHINGTON, D.C. 20009**

The Board is requested to approve the following license cancellation for the reason outlined below.

ABRA – 087912 – **Fruit Bat/Church & State** – Caterer – 1236 H Street, NE. [Received request for cancellation.]

Decision: Cancelled as of May 23, 2012, via Board Order No. 2012-226, 7-0.

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ALCOHOLIC BEVERAGE CONTROL BOARD**

**NOTICE OF MEETING
INVESTIGATIVE AGENDA**

**WEDNESDAY, MAY 23, 2012
2000 14TH STREET, N.W., SUITE 400S, WASHINGTON, D.C. 20009**

On MAY 23, 2012 at 4:00 pm, the Alcoholic Beverage Control Board will hold a closed meeting regarding the matters identified below. In accordance with Section 405(b) of the Open Meetings Amendment Act of 2010, the meeting will be closed “to plan, discuss, or hear reports concerning ongoing or planned investigations of alleged criminal or civil misconduct or violations of law or regulations.”

1. Case#12-251-00138 University Wine & Liquors, 333 HAWAII AVE NE Retailer A Retail - Liquor Store, License#: ABRA-076744
Decision: Show Cause.

2. Case#12-CMP-00156 Roha Liquors, 620 KENNEDY ST NW Retailer A Retail - Liquor Store, License#: ABRA-060496
Decision: Staff Settlement.

3. Case#12-251-00139 Sangria Cafe, 3636 16TH ST NW A Retailer C Restaurant, License#: ABRA-060551
Decision: No Further Action.

4. Case#12-CMP-00155 Rumors Restaurant, 1900 M ST NW Retailer C Nightclub, License#: ABRA-071717
Decision: Postponed until June 6, 2012.

5. Case#12-CMP-00167 Fairfax Liquors, 3851 PENNSYLVANIA AVE SE Retailer A Retail - Liquor Store, License#: ABRA-078013
Decision: No Further Action.

6. Case#12-CC-00039 Elephant & Castle Pub Restaurant, 1201 PENNSYLVANIA AVE NW A Retailer C Restaurant, License#: ABRA-070714
Decision: Staff Settlement.

7. Case#12-251-00127 Ozio Martini & Cigar Lounge, 1813 M ST NW Retailer C Nightclub, License#: ABRA-023167
Decision: No Further Action.

8. Case#12-CMP-00113 Don Juan Restaurant & Carryout, 1660 LAMONT ST NW Retailer C Restaurant, License#: ABRA-015934

Decision: Staff Settlement.

9. Case#12-CMP-00161 Nile Market & Kitchen, 7815 GEORGIA AVE NW Retailer C Restaurant, License#: ABRA-060432

Decision: Staff Settlement.

10. Case#12-CC-00043 The Willard Inter-Continental Hotel, 1401 PENNSYLVANIA AVE NW Retailer C Hotel, License#: ABRA-009713

Decision: Sale to Minor Warning Letter.

11. Case#12-CMP-00153 Third Edition/The Taqueria, 1218 WISCONSIN AVE NW Retailer C Tavern, License#: ABRA-000604

Decision: Show Cause.

12. Case#12-CMP-00154 We, The Pizza, 305 PENNSYLVANIA AVE SE Retailer C Restaurant, License#: ABRA-082062

Decision: Staff Settlement.

13. Case#12-251-00123 Sunshine Bar & Lounge, 7331 Georgia AVE NW Retailer C Restaurant, License#: ABRA-085239

Decision: Show Cause.

14. Case#12-PRO-00012 Stub's Kitchen and Wine 405.1, Retailer C Restaurant, License#: ABRA-088527

Decision: FYI – Protest Report.